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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
841 Chestnut Building
Philadelphia, Pennsylvania 19107

SUBJECT: Request for a Federal Superfund Lien
for the Avtex Fibers Site

DATE: NOV 14 1989

FROM: Karen M. Wolper, Chief Enforcement & Title III Section *Karen M. Wolper*

TO: Marcia E. Mulkey, Regional Counsel
Office of Regional Counsel (3RC00)

The purpose of this memorandum is to request that a lien be applied to the title of the Avtex Fibers plant property on which a federal Superfund Removal response action is now occurring. Despite our issuance of a unilateral order and our receipt of the facility's written intent to comply, the recent state revocation of Avtex's NPDES permit has forced a plant shutdown and in all likelihood, its imminent bankruptcy.

The work being conducted by EPA will certainly enhance the value of the property, and a lien would allow the Federal Government to recover the enhanced value and prevent site owners from profiting from EPA cleanup. Approximately \$400,000 has been spent to date and total estimated response costs for alleviating the threat to human health and the environment may exceed \$40,000,000.

Accordingly, a lien would be appropriate at the Avtex Fibers site. If you have any comments please contact me at extension 8751.

cc: Carney (3HW30)
Crystall (3HW31)